

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S9059–S9202*

**Measures Introduced:** Eighteen bills and four resolutions were introduced, as follows: S. 4, 1504–1520, S. Res. 215–217, and S. Con. Res. 48.

**Pages S9157–58**

#### Measures Reported:

S. 172, to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices, with an amendment in the nature of a substitute. (S. Rept. No. 109–110)

S. 1418, to enhance the adoption of a nationwide inter operable health information technology system and to improve the quality and reduce the costs of health care in the United States, with an amendment in the nature of a substitute. (S. Rept. No. 109–111)

**Page S9157**

#### Measures Passed:

**Medical Device User Fee Stabilization Act:** Senate passed H.R. 3423, to amend the Federal Food, Drug, and Cosmetic Act with respect to medical device user fees, clearing the measure for the President.

**Pages S9196–97**

**Foundation for the National Institutes of Health Improvement Act:** Senate passed S. 302, to make improvements in the Foundation for the National Institutes of Health, after agreeing to the committee amendment in the nature of a substitute.

**Pages S9197–98**

**National Foundation for the Centers for Disease Control and Prevention:** Senate passed S. 655, to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention, after agreeing to the committee amendment in the nature of a substitute.

**Page S9198**

**Jornada Experimental Range Transfer Act:** Committee on Agriculture, Nutrition and Forestry was discharged from further consideration of S. 447, to authorize the conveyance of certain Federal land

in the State of New Mexico, and the bill was then passed.

**Page S9198**

**Women's Business Center Grants:** Senate passed S. 1517, to permit Women's Business Centers to re-compete for sustainability grants.

**Pages S9198–99**

**Honoring World War II Veterans:** Senate agreed to S. Res. 216, expressing gratitude and appreciation to the men and women of the United States Armed Forces who served in World War II, commending the acts of heroism displayed by those servicemembers, and recognizing the "Greatest Generation Homecoming Weekend" to be held in Pittsburgh, Pennsylvania.

**Pages S9199–S9200**

**National Marina Day:** Senate agreed to S. Res. 217, designating August 13, 2005, as "National Marina Day".

**Page S9200**

**National Historically Black Colleges Week:** Committee on the Judiciary was discharged from further consideration of S. Res. 158, expressing the sense of the Senate that the President should designate the week beginning September 11, 2005, as "National Historically Black Colleges and Universities Week", and the resolution was then agreed to.

**Page S9200**

**National Airborne Day:** Committee on the Judiciary was discharged from further consideration of S. Res. 86, designating August 16, 2005, as "National Airborne Day" and the resolution was then agreed to, after agreeing to the following amendment proposed thereto:

**Page S9200**

McConnell (for Hagel) Amendment No. 1628, to provide that the people of the United States observe "National Airborne Day" with appropriate programs, ceremonies and activities.

**Page S9200**

**30th Anniversary of the Helsinki Act:** Committee on Foreign Relations was discharged from further consideration of S.J.Res. 19, calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act, and the joint resolution was then passed.

**Pages S9200–01**

**Commemorating Polish Workers Strike Anniversary:** Committee on the Judiciary was discharged

from further consideration of S. Res. 198, commemorating the 25th anniversary of the 1980 worker's strike in Poland and the birth of the Solidarity Trade Union, the first free and independent trade union established in the Soviet-dominated countries of Europe, and the resolution was then agreed to.

Page S9201

**National Attention Deficit Disorder Awareness Day:** Committee on the Judiciary was discharged from further consideration of S. Res. 201, designating September 14, 2005, as "National Attention Deficit Disorder Awareness Day", and the resolution was then agreed to.

Pages S9201–02

**People-to-People Engagement in World Affairs:** Committee on Foreign Relations was discharged from further consideration of S. Res. 104, expressing the sense of the Senate encouraging the active engagement of Americans in world affairs and urging the Secretary of State to take the lead and coordinate with other governmental agencies and non-governmental organizations in creating an online database of international exchange programs and related opportunities, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto:

Page S9202

McConnell (for Feingold) Amendment No. 1629, to make certain corrections to the resolution.

Page S9202

**Protection of Lawful Commerce in Arms Act:** Senate began consideration of S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others, after agreeing to the motion to proceed to consideration of the bill, and taking action on the following amendments proposed thereto:

Pages S9059–86, S9087–S9115

Pending:

Frist (for Craig) Amendment No. 1605, to amend the exceptions.

Page S9087

Frist Amendment No. 1606 (to Amendment No. 1605), to make clear that the bill does not apply to actions commenced by the Attorney General to enforce the Gun Control Act and National Firearms Act.

Pages S9087–S9114

Reed (for Kohl) Amendment No. 1626, to amend chapter 44 of title 18, United States Code, to require the provision of a child safety lock in connection with the transfer of a handgun.

Pages S9114–15

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, July 29, 2005.

Page S9087

A unanimous-consent agreement was reached providing that on Thursday, July 28, 2005, there be one hour equally divided for debate in relation to Kohl Amendment No. 1626 (listed above); that following the use or yielding back of time, Senate proceed to a vote in relation to the Kohl Amendment with no amendment in order prior to the vote.

Page S9114

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Thursday, July 28, 2005; provided further, that Senators have until 1 p.m. to file first-degree amendments.

Page S9086

**Defense Authorization—Agreement:** A unanimous-consent agreement was reached providing that at any time determined by the Majority Leader, after consultation with the Democratic Leader, the Senate would resume consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces.

Pages S9085–86

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader and Majority Whip be authorized to sign duly enrolled bills or joint resolutions.

Page S9202

**Highway Extension Agreement:** A unanimous-consent agreement was reached providing that notwithstanding the recess or adjournment of the Senate, that when the Senate receives from the House of Representatives a short-term highway extension, the bill be considered, read a third time and passed.

Page S9202

**Nominations Received:** Senate received the following Nominations:

Keith E. Gottfried, of California, to be General Counsel of the Department of Housing and Urban Development.

Alfred Hoffman, of Florida, to be Ambassador to the Republic of Portugal.

Mark S. Schneider, of the District of Columbia, to be Commissioner of Education Statistics for a term expiring June 21, 2009.

Bertha K. Madras, of Massachusetts, to be Deputy Director for Demand Reduction, Office of National Drug Control Policy.

Diane Rivers, of Arkansas, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

Sandra Frances Ashworth, of Idaho, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

Jan Cellucci, of Massachusetts, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

1 Army nomination in the rank of general.

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Messages From the House: Pages S9155–56

Measures Referred: Page S9156

Measures Placed on Calendar: Page S9156

Executive Communications: Pages S9156–57

Additional Cosponsors: Pages S9158–60

Statements on Introduced Bills/Resolutions: Pages S9160–88

Additional Statements: Pages S9153–55

Amendments Submitted: Pages S9188–95

Notices of Hearings/Meetings: Page S9195

Authority for Committees to Meet: Pages S9195–96

Privilege of the Floor: Page S9196

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 7:40 p.m. until 9:30 a.m., on Thursday, July 28, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S9086, S9202.)

## Committee Meetings

(Committees not listed did not meet)

### CONSERVATION RESERVE PROGRAM

*Committee on Agriculture, Nutrition, and Forestry:* Subcommittee on Forestry, Conservation, and Rural Revitalization concluded an oversight hearing to examine the Conservation Reserve Program, the voluntary program for agricultural landowners that provides annual rental payments and cost-share assistance to establish long-term, resource-conserving covers on eligible farmland, after receiving testimony from James R. Little, Administrator, Farm Service Agency, Department of Agriculture; Dan Forster, Georgia Department of Natural Resources, Social Circle; Sherman Reese, Echo, Oregon, on behalf of the National Association of Wheat Growers; Kendell W. Keith, National Grain and Feed Association, and Krysta Harden, National Association of Conservation Districts, both on behalf of sundry groups, both of Washington, D.C.; and Jeffrey W. Nelson, Ducks Unlimited, Inc., Bismarck, North Dakota, on behalf of sundry groups.

### NATIONAL ALERT SYSTEM

*Committee on Commerce, Science, and Transportation:* Subcommittee on Disaster Prevention and Prediction concluded a hearing to examine the need for a na-

tional all-hazards alert and public warning system, focusing on the role and activities of the Federal Government to ensure the quick and accurate dissemination of alert and warning information, after receiving testimony from Reynold N. Hoover, Director, Office of National Security Coordination, Federal Emergency Management Agency, Department of Homeland Security; Kenneth Moran, Acting Director, Office of Homeland Security, Enforcement Bureau, Federal Communications Commission; Mark Paese, Director, Maintenance, Logistics and Acquisition Division, National Weather Service, National Oceanic and Atmospheric Administration, Department of Commerce; and Christopher E. Guttman-McCabe, CTIA—The Wireless Association, Richard Taylor, ComCARE Alliance, and John M. Lawson, Association of Public Television Stations, all of Washington, D.C.

### FAIR RATINGS ACT

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine S. 1372, to provide for the accuracy of television ratings services, focusing on Nielsen's implementation of the local people meter (LMP) service, after receiving testimony from George Ivie, Media Rating Council, Inc., Susan Whiting, Nielsen Media Research, Ceril Shagrin, Univision, and Kathy Crawford, MindShare, all of New York, New York; Patrick J. Mullen, Tribune Broadcasting Company, Chicago, Illinois; and Gale Metzger, SMART Media, Cranford, New Jersey.

### HYDROGEN AND FUEL CELL RESEARCH

*Committee on Energy and Natural Resources:* Subcommittee on Energy concluded a hearing to examine recent progress in hydrogen and fuel cell research sponsored by the Department of Energy and by private industry, including challenges to the development of these technologies, after receiving testimony from Douglas L. Faulkner, Acting Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; Jeremy Bentham, Royal Dutch Shell, Amsterdam, The Netherlands; Lawrence D. Burns, General Motors Corporation, Warren, Michigan; and Dennis Campbell, Ballard Power Systems, Burnaby, British Columbia.

### MEDICARE

*Committee on Finance:* Committee held a hearing to examine the role of value-based purchasing relating to improving quality in Medicare, focusing on the use of pay-for-performance reimbursement systems within the Medicare program, receiving testimony from Herb Kuhn, Director, Center for Medicare Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services;